

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

LUFKIN DIVISION

HENRY MESA, JR.	§	
VS.	§	CIVIL ACTION NO. 9:12-CV-42
DR. LOVE KASULE, ET AL.	§	

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Henry Mesa, Jr., a prisoner confined at the Polunsky Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983 against Dr. Love Kasule, Dr. Owen Murray, Dr. Scott, Dr. Lanette Linthicum, and Jennifer Kresta. The claims against Dr. Scott and Lanette Linthicum were previously dismissed.

The court ordered that this matter be referred to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge recommends granting defendants' motion for summary judgment and dismissing the action.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report and recommendation of the magistrate judge (document no. 71) is **ADOPTED**. Defendants' motion for summary judgment (document no. 67) is **GRANTED**. A final judgment will be entered in accordance with the magistrate judge's report and recommendation.

SIGNED this 21st day of August, 2015.

A handwritten signature in black ink, reading "Michael H. Schneider", is written over a horizontal line.

MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE